

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

XXXXXX

DOCKET NUMBER: BC-2012-01966  
COUNSEL: NONE  
HEARING DESIRED: NOT INDICATED

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APPLICANT REQUESTS THAT:

His records be corrected to reflect his Vietnam service.

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APPLICANT CONTENDS THAT:

He was informed by the Department of Veterans Affairs that he never served in Vietnam. He had orders to show he was assigned temporary duty (TDY) in Vietnam effective on or about 4 Feb 68 for two days and on or about 12 Jun 68 for six days.

In support of his request, the applicant submits his TDY orders.

The applicant's complete submission, with attachments, is at Exhibit A.

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STATEMENT OF FACTS:

On 18 Jul 66, the applicant enlisted in the Regular Air Force. On 17 Jul 70, he was honorably discharged. His DD Form 214, *Armed Forces of the United States Report of Transfer or Discharge*, issued in conjunction with his 17 July 1970, released from active duty, reflects that he completed 1 year and 6 months of foreign service. He served four years on active duty.

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AIR FORCE EVALUATION:

AFPC/DPAPP recommends denial. DPAPP states that a review of the applicant's Master Personnel Records and the documentation submitted does not substantiate his claim that he served in Vietnam. However, DPAPP was able to verify he had "boots on the ground" in the Republic of the Philippines from 4 Jan 67 and 3 Jul 68.

The complete DPAPP evaluation is at Exhibit C.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 2 Jul 12, for review and comment within 30 days. As of this date, this office has received no response (Exhibit D).

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THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
  2. The application was not timely filed; however it is in the interest of justice to excuse the failure to timely file.
  3. Insufficient relevant evidence has been presented to demonstrate the existence of error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, the Board majority agrees with the opinion and recommendation of the Air Force office of primary responsibility and adopts its rationale as the basis for their conclusion the applicant has not been the victim of an error or injustice. While the Board majority notes that the applicant has provided TDY orders to Hue Phu Bai, Republic of Vietnam (RVN) for two days in Feb 68 and Cam Rhan Bay, RVN, for six days in Jun 68, they do not find this evidence sufficient to substantiate his claim that he actually was TDY to these locations. However, should the applicant provide evidence to substantiate his claim, i.e., travel vouchers, we would be willing to reconsider his request. Therefore, in the absence of evidence to the contrary, the Board majority finds no basis to recommend granting the relief sought in this application.
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THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered this application in Executive Session on 20 Feb 14, under the provisions of AFI 36-2603:

XXXXXX, Panel Chair  
XXXXXX, Member  
XXXXXX, Member

By majority vote, the Board voted to deny the application. [REDACTED] [REDACTED] voted to correct the record. The following documentary evidence was considered in AFBCMR BC-2012-01966:

- Exhibit A. DD Form 149, dated 25 Apr 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPAPP, dated 21 Jun 12.
- Exhibit D. Letter, SAF/MRBR, dated 2 Jul 12.

XXXXX  
Panel Chair



DEPARTMENT OF THE AIR FORCE  
WASHINGTON, DC

Office of the Assistant Secretary

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, AIR FORCE BOARD  
FOR CORRECTION OF MILITARY RECORDS (AFBCMR)

SUBJECT: XXXXX, AFBCMR Docket No: BC-2012-01966

I have carefully considered all the facts and circumstances of this case and the evidence of record. In view of the substantial evidence provided in support of this appeal, I do not agree with the recommendation of the majority of the AFBCMR panel to accept the opinion and recommendation of the Air Force office of primary responsibility (OPR) and deny the applicant's request.

In support of the applicant's request that his records be corrected to reflect his service in the Republic of Vietnam (RVN), he has provided the original temporary duty (TDY) orders assigning him from Clark Air Base, the Philippines, to Hue Phu Bai, RVN for two days in February 1968 and to Cam Rhan Bay, RVN, for six days in June 1968, for the purpose of maintenance support and recovery. While the OPR opines this evidence fails to substantiate that he served in the RVN, I disagree. Although completed travel vouchers for these TDYs would conclusively demonstrate that he completed them, I find these orders compelling. Moreover, I agree with the minority voting member of the panel that it is unlikely that he would retain said TDY orders for over 44 years, if he, in fact, had never traveled to the RVN.

Therefore, in view of the above, I find the applicant has met his burden of demonstrating the existence of an error or an injustice in his records and direct that his records be corrected to show that he had boots-on-the-ground in the RVN from 4 through 6 February 1968 and from 12 through 18 June 1968.

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Director  
Air Force Review Boards Agency